



# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7  
901 NORTH 5TH STREET  
KANSAS CITY, KANSAS 66101

SEP 16 2009

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Article Number: Z 203 264 834

Mr. James Jura  
CEO and General Manager  
Associated Electric Cooperative, Inc.  
P.O. Box 754  
Springfield, MO 65801

RE: Supplemental Request for Information Pursuant to Section 114(a) of the Clean Air Act  
Regarding EPA's Coal-fired Power Plant Investigations

Dear Mr. Jura:

The United States Environmental Protection Agency (EPA) hereby requires Associated Electric Cooperative, Inc. (AECI) to provide certain additional information as part of an EPA investigation to determine the Clean Air Act (CAA or the Act) compliance status of the Thomas Hill Energy Center and New Madrid Power Plant. This request supplements earlier Information Requests dated December 4, 2002, and April 10, 2003. To the extent that any documents responsive to this request were already submitted to EPA in AECI's response to the December 2002 or April 2003 Information Requests, those duplicative documents do not need to be resubmitted in response to this Information Request. If AECI finds newly requested documents were previously submitted in the initial response, please provide the original bates numbers for those documents.

This supplemental request is made pursuant to Section 114(a) of the CAA, 42 U.S.C. § 7414(a). Under Section 114(a) of the CAA, 42 U.S.C. 7414(a), the Administrator of EPA is authorized to require any person who owns and/or operates an emission source to establish and maintain records, make reports and provide such other information as he or she may reasonably require for the purposes of determining whether such person is in violation of any provision of the Act.

EPA has reason to believe that physical changes or changes in the method of operation may have been made at the Thomas Hill Energy Center in Randolph County, Missouri and New Madrid Power Plant in New Madrid County, Missouri. These changes may have resulted in or could result in increased emissions. Therefore, you are hereby required to respond to the following questions and requests for information within the time periods specified. Please see Enclosure 1 for Instructions and Definitions and Enclosure 2 regarding Confidential Business Information.

Provide the following for Thomas Hill Energy Center and New Madrid Power Plant:

1. For the period of January 1, 2003, to the present, provide a copy of all *capital appropriation requests* for capital projects which involved the equipment identified in (a.) - (m.) below with actual or authorized total expenditures greater than \$250,000 *and* which required that any Unit at the Thomas Hill Energy Center and New Madrid Power Plant be shut down, be taken off line or out of operation for 2 weeks or more:
  - a. Boiler casing and boiler floor/wall tube replacements,
  - b. Economizer(s), reheater(s), primary and secondary superheater(s), steam drum(s), and/or primary and secondary air pre-heater replacements,
  - c. Induced draft (ID) fans, forced draft (FD) fans and fan motor replacements,
  - d. Condenser, boiler feed pump and/or feed water heater replacements,
  - e. Flue gas recirculation (FGR) replacements or deactivations,
  - f. Pulverizer, exhauster, burner and/or cyclone replacements,
  - g. Balanced draft conversion projects,
  - h. Turbine rotor/turbine shell replacements, turbine overhaul, or design changes,
  - i. Low-NO<sub>x</sub> burner (LNB), overfire air, staged combustion, gas or coal reburn installation and modifications/retrofits including any model or size changes made to the burners of any Unit, and including changes to the ignitors [i.e., include model and size (in mmBtu/hr)],
  - j. Scrubber retrofits and/or design change projects,
  - k. Any Electrostatic Precipitator (ESP) or fabric filter retrofits or design changes,
  - l. Coal handling system changes to increase feed rate or other changes to coal preparation, and
  - m. Changes made to equipment to accommodate the burning of fuel, other than coal, in each boiler. Such alternative fuels include, but are not limited to oil, petroleum coke and tire derived fuel.
2. For each project associated with a *capital appropriation request* identified in AECL's response to Request No. 2 of the December 4, 2002 Information Request and/or identified in response to Request No. 1, above, provide:

- a. A copy of the *capital appropriation* request with authorized expenditure, authorizing signatures and approval dates,
- b. Total project cost, including any cost incurred by AECI and all other costs shared by other owners and operators of the *coal-fired boiler*,
- c. Project begin and completion date,
- d. The date the *coal-fired boiler* returned to commercial operation following completion of the capital project,
- e. Equipment specifications,
- f. Cost/benefit analyses,
- g. All alternative options analyses,
- h. All proposals, request for proposals and price quotations submitted by equipment suppliers or contractors,
- i. A copy of all correspondence between AECI and any entity describing any changes in material type or design from the existing component(s) being replaced,
- j. A copy of any emissions calculations performed before and after the capital project was completed,
- k. Any engineering analysis, performance test, or other related documents showing original as-built performance and performance for the period immediately prior to and immediately following completion of each capital project,
- l. Any evaluation and associated documentation conducted to verify pre- and post-completion performance of the capital project under any equipment vendor guarantee,
- m. All work order and work request project completion reports,
- n. All purchase orders and contracts AECI entered into that exceeded \$500,000,

- o. Whether the capital improvement was associated with:
    - i. A life extension project,
    - ii. A capacity increase,
    - iii. An efficiency enhancement, or
    - iv. A reliability improvement.
  - p. Documents related to the maximum continuous rating of the boiler, both before and after the project was completed, including but not limited to documentation of changes in:
    - i. Unit capacity factor,
    - ii. Unit availability,
    - iii. Boiler heat input,
    - iv. Steam flow rate,
    - v. Steam temperature,
    - vi. Steam pressure,
    - vii. Unit heat rate, Btu/MWh, and
    - viii. Unit efficiency.
  - q. Any analyses that explore the benefits of the project in terms of improvements in opacity and any resulting increase in capacity or utilization (e.g. reduction in MWh lost or forced outages).
3.
    - a. For each project associated with a *capital appropriation request* identified in response to Request No. 1, above, provide: a copy of all engineering analyses, correspondence, memoranda, telephone discussion summaries and any other communication that describe the benefits, provides justification for, or otherwise explains the nature, extent, cost and frequency of each capital project. This request includes all communications both before and after the capital project was undertaken.
    - b. For each project associated with a *capital appropriation request* identified in AECI's response to Request No. 2 of the December 4, 2002 Information Request, provide a copy of all engineering analyses, and any other communication that explains the nature, extent, cost and frequency of each capital project. This request includes all communications both before and after the capital project was undertaken.
  4. For each project associated with a *capital appropriation request* identified in AECI's response to Request No. 2 of the December 4, 2002 Information Request and/or identified in response to Request No. 1, above, provide: the Federal Energy Regulatory Commission (FERC) Property Record Accounts 311, 312, 314 and 316. If your accounting practices differ from those outlined by FERC, provide information analogous to the FERC property records identified above along with any supporting information.

5. For each project associated with a *capital appropriation request* identified in AECI's response to Request No. 2 of the December 4, 2002 Information Request and/or identified in response to Request No. 1, above, provide: a copy of the original boiler cross-sectional diagram and any subsequent revisions made both prior to and following the capital projects.
6. To the extent not already submitted to EPA in response to the December 2002 Information Request, for each project associated with a *capital appropriation request* identified in AECI's response to Request No. 2 of the December 4, 2002 Information Request and/or identified in response to Request No. 1, above, provide: a copy of all permits, documents related to permitting strategy, communications with permitting agencies or authorities, applicability determinations, and non-applicability determinations, along with supporting information, obtained by AECI related to these capital projects. Relevant documents include, but are not limited to, permit applications, correspondence, memoranda, telephone discussion summaries, and any interaction between AECI and the air pollution control agencies related to any findings made under the federal or state implementation plan (SIP)-approved Prevention of Significant Deterioration (PSD) program, SIP-approved minor source construction permitting program or any New Source Performance Standards (NSPS).
7. For each project associated with a *capital appropriation request* identified in AECI's response to Request No. 2 of the December 4, 2002 Information Request and/or identified in response to Request No. 1, above, provide: a copy of all analyses prepared by AECI or by a third-party on AECI's behalf, showing for each capital project for which a permit or applicability determination was not obtained from a state or federal air pollution control program, why it was unnecessary for the project to undergo formal agency review prior to commencing construction.
8. For each *coal-fired boiler* at the Thomas Hill Energy Center and New Madrid Power Plant, provide a list of all projects of greater than \$100,000 for which construction commenced after January 1, 1987, to the present which provides:
  - a. The work order number,
  - b. Project description,
  - c. Authorized expenditure,
  - d. Actual expenditure,
  - e. Date of approval,
  - f. Project completion date,
  - g. In-service date, and

- h. Name of contractor(s).
9. For the period of January 1, 2003 to the present, provide the total capital and maintenance expenditures and retirements on an annual basis made to each *steam generating unit* over the life of each unit at the Thomas Hill Energy Center and New Madrid Power Plant.
10. Provide the original design specifications for each *coal-fired boiler* and associated steam turbine at the Thomas Hill Energy Center and New Madrid Power Plant as follows (Include all documentation and correspondence, including but not limited to engineering calculations and contract specifications used in setting the design values.):
- a. Steam flow rate, steam temperature and pressure,
  - b. Maximum hourly heat input capacity and an explanation of the assumptions made to determine this maximum heat capacity, including, but not limited to, the coal heat content in Btu/lb and the maximum hourly coal feed rate in lbs/hr,
  - c. Gross hourly megawatt (MW) capacity,
  - d. Net hourly MW capacity,
  - e. Net heat rate in Btu/KWh, and
  - f. Design emission rates, in lb/mmBtu and lbs/hr, for NO<sub>x</sub>, SO<sub>2</sub>, CO, PM, PM<sub>10</sub>, Pb, Hg, and HCl.
11. For the period of January 1, 2003 to the present, provide the following for each *coal-fired boiler* at the Thomas Hill Energy Center and New Madrid Power Plant for each calendar year in Excel format (or comma delimited format compatible with personal computers running Microsoft Windows software):
- a. Capacity factor on a monthly and annual basis,
  - b. Availability factor on a monthly and annual basis,
  - c. Operating hours on a monthly and annual basis,
  - d. Coal consumption on a monthly and annual basis,
  - e. Fuel quality (e.g., % sulfur, % ash, and heat content) on a monthly and annual basis,
  - f. Total gross and net generation (MWh) on a monthly and annual basis,
  - g. Heat rate (Btu/KWh) on a monthly and annual basis,

- h. Lost generation during planned outages,
  - i. Scheduled or planned boiler Unit retirement dates,
  - j. All historical capability test results of each Unit, and
  - k. Peak hourly average generation (MW) for each month.
12. For the period of January 1, 1987 to the present, provide GADS (Generating Availability Data System) reports information in Excel format. If the GADS reports information cannot be produced in Excel or a readable electronic spreadsheet format, provide EPA Region 7 permission to obtain GADS reports information from NERC (North American Electric Reliability Corporation) and from January 1, 2003 to present, provide GADS (Generating Availability Data System) reports in a plain text or ascii format. The GADS reports information must include for each outage at each *coal-fired boiler*, the:
- a. Lost generation as a result of forced outages, unplanned outages, maintenance, scheduled outages, deratings or curtailments (in MWh),
  - b. Unit at which lost generation occurred,
  - c. Duration, in hours, of all outages, deratings, and curtailments,
  - d. Start date and time of outage,
  - e. End date and time of outage,
  - f. NERC cause code,
  - g. Event type,
  - h. Event number,
  - i. Maximum Net Dependable Capacity (NDC) of the unit at the time of the outage or derate,
  - j. Description of event, and
  - k. Forced outages, unplanned outages, maintenance, scheduled outages, deratings or curtailments caused by:
    - i. Boiler related components,
    - ii. Turbine generator components,

- iii. Pollution control performance,
  - iv. Balance of Stations, and
  - v. Miscellaneous.
13. For each Unit, for the period of January 1, 1987 to the present, provide any engineering analysis, study, or report (whether draft or final) containing information regarding the capability of the Unit to produce steam or burn fuel, including, but not limited to, those documents containing recommendations for increasing or improving such capability.
14. For each Unit, for the period of January 1, 1987 to the present, provide all boiler inspection reports.
15. For the period of January 1, 1987 to the present, for each test conducted for the purpose of determining the performance, operational rating, or Maximum Net Dependable Capacity (NDC) of each *coal-fired boiler* at the Thomas Hill Energy Center and New Madrid Power Plant, provide:
- a. The day and hour of the capacity test as defined in the "MAIN Guide No. 3A, Procedure for the Uniform Rating of Generating Equipment" or other relevant testing protocol specified by the power pool operator,
  - b. The standard operating procedure, or equivalent document, for the performance of the capacity tests (i.e., the procedures, specifications, conditions, and other parameters under which the representativeness and accuracy of the tests are determined),
  - c. All results of capacity tests including the condition (e.g. valve wide open), steam flow and coal used,
  - d. The information in subparagraphs a.-c., above, for any other capacity tests not otherwise provided irrespective of whether required by rule or conducted for any other purpose including short tests, and
  - e. A description of any equipment limitations or other limiting factors that restricted capacity.
16. For the period of January 1, 1987 to the present, provide summary results of all complete or partial stack tests performed for NO<sub>x</sub>, SO<sub>2</sub>, CO, PM, PM<sub>10</sub>, Pb, Hg, and HCl for each *coal-fired boiler* at the Thomas Hill Energy Center and New Madrid Power Plant. You may exclude the summary result for any SO<sub>2</sub> and NO<sub>x</sub> performance tests used to certify or quality assure the acid rain CEMS after 1995.



17. For the period of January 1, 1987 to the present, provide a summary of monthly and annual emissions for NO<sub>x</sub>, SO<sub>2</sub>, CO, PM, PM<sub>10</sub>, Pb, Hg, and HCl, in both lb/mmBtu and tons/year for each *coal-fired boiler*. Emissions information responsive to this request includes annual emissions reports submitted to the applicable state regulatory agency and any monthly or annual summaries of data obtained from any continuous emission monitoring system (CEMS) installed in the flue gas stream. If emissions data have already been reported to the U.S. EPA, (i.e., using CEMS under the Acid Rain or New Source Performance Standards program), it is not necessary to resubmit, but so indicate.
18. For each *coal-fired boiler* utilizing add-on NO<sub>x</sub> control technology, provide the following information:
- a. A summary of monthly NO<sub>x</sub> removal efficiencies from January 1, 1987, to the present.
  - b. If the efficiency is measured using inlet and outlet continuous emission monitoring systems, or is estimated through the use of fuel sampling and analysis in conjunction with an outlet NO<sub>x</sub> CEMS, so indicate.
  - c. If the efficiency is not measured directly using CEMS or CEMS in conjunction with fuel data, substantiate the Selective Catalytic Reduction (SCR) efficiency results by submitting all performance tests and any other summaries of parametric measurements that serve as a surrogate for SCR performance.
  - d. The maximum peak and sustained SCR efficiency.
19. For each *coal-fired boiler* utilizing add-on SO<sub>2</sub> control technology, provide the following information:
- a. A summary of monthly SO<sub>2</sub> removal efficiencies from January 1, 1987, to the present.
  - b. If the efficiency is measured using inlet and outlet continuous emission monitoring systems, or is estimated through the use of fuel sampling and analysis in conjunction with an outlet SO<sub>2</sub> CEMS, so indicate.
  - c. If the efficiency is not measured directly using CEMS or CEMS in conjunction with fuel data, substantiate the scrubber efficiency results by submitting all performance tests and any other summaries of parametric measurements that serve as a surrogate for scrubber performance.
  - d. The maximum peak and sustained scrubber efficiency.

20. For the period of January 1, 1987 to the present, provide all planning, meeting notes, studies and project information related to efforts to increase the performance and/or reliability of each *coal-fired boiler* at the Thomas Hill Energy Center and New Madrid Power Plant on a project basis.
21. For the period of January 1, 1987 to the present, provide all documents that estimate future coal usage, growth, and load projections. This includes, but is not limited to simulation modeling, rate case documentation, fuel purchase planning, new Unit investment planning, and any other relevant correspondence between AECI and the public utility or service commission or other state or federal agency.
22. Provide a copy, preferably in Excel (or comma delimited format compatible with personal computers running Microsoft Windows software) of each quarterly continuous opacity monitoring system (COMS) excess emission report for each *coal-fired boiler* at Thomas Hill Energy Center and New Madrid Power Plant from January 1987 through to the present. In accordance with 40 CFR 60.7(c), for each reporting period, specify:
  - a. The magnitude of each excess emission, any conversion factor(s) used, and the date and time of commencement and completion of each time period of excess emissions,
  - b. Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the affected facility,
  - c. The nature and cause of any malfunction (if known) and any corrective action taken or preventative measures adopted,
  - d. The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments, and
  - e. The unit operating time during the reporting period.

You must submit the response to each of the above questions within sixty (60) calendar days after your receipt of this letter to:

U.S. Environmental Protection Agency, Region 7  
Air Permitting and Compliance Branch (AWMD/APCO)  
901 North 5<sup>th</sup> Street  
Kansas City, Kansas 66101  
Attention: Eric Sturm

If you anticipate being unable to respond fully to this request within the time period specified, you must submit a sworn declaration by a responsible corporate official within twenty (20) calendar days after your receipt of this letter, specifying what information will be provided

within the time specified, describing what efforts have been or are being made to obtain other responsive information and providing a detailed schedule of when such other responsive information can be provided. Upon receipt and based upon such declaration, EPA may extend the time in which responsive information must be provided.

Your response to this requested information must be certified by a duly authorized officer or agent of Associated Electric Cooperative by signing the enclosed Statement of Certification (see Enclosure 3) and returning it with your response. All information submitted in response to this request must be certified as true, correct, accurate, and complete by an individual with sufficient knowledge and authority to make such representations on behalf of Associated Electric Cooperative.

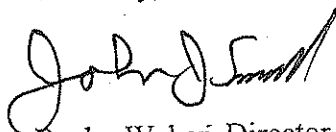
A knowing submittal of false information in response to this request may be actionable under Section 113(c)(2) of the CAA, 42 U.S.C. § 7413(c)(2), as well as 18 U.S.C. §§ 1001 and 1341. Associated Electric Cooperative should also be aware that a failure to comply fully with the terms of this request may subject it to an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413.

This letter in no way affects the obligations of Associated Electric Cooperative to comply with other local, State and Federal laws and regulations. In addition, nothing in this letter shall be construed to be a waiver by EPA of any rights or remedies under the Clean Air Act.

The requirements of this letter are not subject to the Paperwork Reduction Act of 1980, 44 U.S.C. § 3501 *et seq.*

If you have any questions concerning this matter, please contact Eric Sturm, Air Permitting and Compliance Branch, at (913) 551-7377 or Sarah LaBoda, Office of Regional Counsel at (913)-551-7424.

Sincerely,



Becky Weber, Director

*for* Air and Waste Management Division

Enclosures: Instructions and Definitions  
Confidential Business Information  
Statement of Certification

cc: Steve Feeler, Missouri Department of Natural Resources  
Ilana Saltzbart, USEPA-Headquarters

## ENCLOSURE 1

### INSTRUCTIONS

1. Provide a separate narrative response to each question and subpart of a question set forth in the Information Request.
2. Precede each answer with the number of the question to which it corresponds and at the end of each answer identify the person(s) that provided information that was used or considered in responding to that question, as well as each person that was consulted in the preparation of that response.
3. Indicate on each document produced in response to this Information Request, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where documents or information necessary for a response are neither in your possession nor available to you, indicate in your response why such documents or information is not available or in your possession and identify any source that either possesses or is likely to possess such information.

### DEFINITIONS

All terms used in this Request for Information will have their ordinary meaning unless such terms are defined in the Act, 42 U.S.C. § 7401, 40 C.F.R. Part 52 (which incorporates the federally-approved Stated Implementation Plan), or other Clean Air Act implementing regulations. Reference is made to the EPA regulatory provisions only; however, you should apply the applicable federally-approved state provisions when appropriate. Definitional clarification is specified below.

1. The terms "document" and "documents" shall mean any object that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include attachments to or enclosures with any document.
2. The term "Capital Appropriation Requests" shall mean the documents used by Stations personnel that serve the purpose of describing capital projects for equipment and process changes when seeking management approval for a planned expenditure at the Stations.

These documents are also known as capital improvement requests, authorizations for expenditure, work order records, or other similar names.

3. The term "Steam Generating Unit" shall have the same meaning as defined at 40 C.F.R. ' 60.41(b).
4. The term "Coal-Fired Boiler" or "Unit" shall mean all equipment used for the purpose of generating electricity including but not limited to coal handling facilities, boilers, ductwork, stacks, turbines, generators, and all ancillary equipment.
5. The term "PSD/NSR" shall mean the Prevention of Significant Deterioration and the New Source Review preconstruction permitting programs established at 40 C.F.R. 51 and 52 and any respective program established under a state implementation plan.
6. The term "NSPS" shall mean the Standards of Performance for New Stationary Sources promulgated at 40 C.F.R. Part 60.
7. The term "Performance" shall mean capability of the coal-fired boiler to burn greater amounts of coal on an hourly or annual basis, improve availability, or achieve higher efficiency.
8. The term "Efficiency" shall mean kWh generated per Btu input to the coal-fired boiler and/or the percent removal of a pollutant from the inlet stream to a pollution control device.
9. The term "MWh" shall mean megawatt hours of electrical energy.
10. The term "kWh" shall mean kilowatt hours of electrical energy.
11. The term "Btu" shall mean the British Thermal Unit of heat.
12. The terms "you" or "Associated Electric" or "Associated Electric Cooperative" shall mean the addressee of this Request, the addressee's officers, partners, managers, employees, contractors, trustees, successors, predecessors, assigns, and agents.

## ENCLOSURE 2

### CONFIDENTIAL BUSINESS INFORMATION

You may assert a business confidentiality claim covering all or part of the information you provide in response to this information request for any business information entitled to confidential treatment under Section 114(c) of the Clean Air Act (the Act), 42 U.S.C. § 7414, and 40 C.F.R. Part 2, subpart B. Under Section 114(c) of the Act, you are entitled to confidential treatment of information that would divulge methods or processes entitled to protection as trade secrets. Under 40 C.F.R. Part 2, subpart B, business confidentiality means "the concept of trade secrecy and other related legal concepts which give (or may give) a business the right to preserve the confidentiality of business information and to limit its use or disclosure by others in order that the business may obtain or retain business advantages it derives from its rights in the information." See 40 C.F.R. § 2.201(e).

The criteria EPA will use in determining whether material you claim as business confidential is entitled to confidential treatment are set forth at 40 C.F.R. §§ 2.208 and 2.301. These regulations provide, among other things, that you must satisfactorily show that: (1) the information is within the scope of business confidentiality as defined at 40 C.F.R. § 2.201(e), (2) that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so, (3) the information is not and has not been reasonably obtainable by legitimate means without your consent, and (4) the disclosure of the information is likely to cause substantial harm to your business's competitive edge. See 40 C.F.R. § 2.208 (a)-(d). Emission data, as defined at 40 C.F.R. § 2.301(a)(2), is expressly not entitled to confidential treatment under 40 C.F.R. Part 2, subpart B. See 42 U.S.C. § 7414(c); 40 C.F.R. § 2.301(e).

Information covered by a claim of business confidentiality will be disclosed by EPA only to the extent, and by means of the procedures, set forth in Section 114(c) of the Act and 40 C.F.R. Part 2, subpart B. EPA will construe your failure to furnish a business confidentiality claim with your response to this information request as a waiver of that claim, and the information may be made available to the public without further notice to you.

To assert a business confidentiality claim, you must place on (or attach to) all information you desire to assert as business confidential either a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret", "proprietary", or "company confidential" at the time you submit your response to this information request. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified, and may be submitted separately to facilitate identification and handling by EPA. You should indicate if you desire confidential treatment only until a certain date or until the occurrence of a certain event.

In addition, EPA is providing you notice that if you assert a claim of business confidentiality for information you provide in response to this information request, EPA will determine whether such information is entitled to confidential treatment, pursuant to 40 C.F.R.

Part 2, subpart B. Accordingly, after EPA's receipt of your business confidentiality claim, you will receive a letter inviting your comments on the following questions:

1. What specific portions of the information are alleged to be entitled to confidential treatment? Specify by page, paragraph, and sentence when identifying the information subject to your claim.
2. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a specified event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, specify that event. Additionally, explain why the information should be protected for the time period you have specified.
3. What measures have you taken to protect the information claimed as confidential from undesired disclosure? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available material such as the Internet, publicly available databases, promotional publications, annual reports, or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to the confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, explain with specificity whether disclosure of the information is likely to result in substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial, and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?
7. Is there any other explanation you deem relevant to EPA's determination of your business confidentiality claim that is not covered in the preceding questions? If so, you may provide such additional explanation.

See 40 C.F.R. § 2.204(e)(4). When you receive such a letter, you must provide EPA with a written response within the number of days set forth in the letter. EPA will construe your failure to furnish timely comments as a waiver of your confidentiality claim, consistent with 40 C.F.R. § 2.204(e)(1).

### ENCLOSURE 3

#### STATEMENT OF CERTIFICATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment.

---

(Signature)

---

(Title)

---

(Date)



**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing Clean Air Act Section 114 Request for Information was mailed by certified mail, return receipt requested, to:

Mr. James Jura  
CEO and General Manager  
Associated Electric Cooperative, Inc.  
P.O. Box 754  
Springfield, MO 65801

Certified Return Receipt No. E 203 264 834

Kimberly E. Smith  
Kimberly Smith  
Office Manager, Air Permitting  
and Compliance Branch

9/16/09  
Date